

ENTERED

May 22, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JULIUS LAMUNN NORTH,

Plaintiff.

V.

CAPITAL ONE, N.A.,

Defendant.

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CIVIL ACTION NO. 4:23-CV-03309

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On January 17, 2024, Defendant's Motion to Dismiss (Dkt. 10) was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 17. Judge Edison filed a Memorandum and Recommendation on May 6, 2024, recommending the motion be **GRANTED**. Dkt. 22.

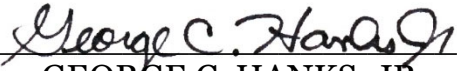
No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED and ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 22) is **APPROVED and ADOPTED** in its entirety as the holding of the Court; and
- (2) Defendant's Motion to Dismiss (Dkt. 10) is **GRANTED**.

It is so **ORDERED**.

SIGNED at Houston, Texas on May 22, 2024.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE